

COMMITTEE ON JUSTICE AND PUBLIC SAFETY
(Standing Committee of Berkeley County Council)

Chairman: Mrs. Judy C. Mims, District No. 6

A **meeting** of the **COMMITTEE ON JUSTICE AND PUBLIC SAFETY**, Standing Committee of Berkeley County Council, was held on **Monday, April 12, 2004**, in the Assembly Room of the Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, at 6:41 p.m.

PRESENT: Mrs. Judy C. Mims, Council Member District No. 6, Chairman; Mr. Milton Farley, Council Member District No. 1; Mrs. Judith K. Spooner, Council Member District No. 2; Mr. William E. Crosby, Council Member District No. 3; Mr. Charles E. Davis, Council Member District No. 4; Mr. Dennis L. Fish, Council Member District No. 5; Mr. Caldwell Pinckney, Jr., Council Member District No. 7; Mr. Steve C. Davis, Council Member District No. 8; Mr. D. Mark Stokes, County Attorney, and Ms. Barbara B. Austin, Clerk of County Council. Mr. James H. Rozier, Jr., Supervisor, ex officio, was excused from this meeting.

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

During periods of discussion and/or presentations, minutes are typically condensed and paraphrased.

Chairman Mims called the meeting to order and asked for approval of minutes from the Committee on Justice and Public Safety Meeting held March 8, 2004.

APPROVAL OF MINUTES

It was moved by Council Member Crosby and seconded by Council Member Steve Davis to approve the minutes as presented. This motion was passed by unanimous voice vote of the Committee.

A. Judge Keith Kornahrens, Berkeley County Probate Judge, Re:

1. Additional funds for Department

Judge Keith Kornahrens stated his request for an amendment to Resolution 99-05, wherein, Council provided for a salary increase to elected officials and directors in the event an increase was granted to County employees. The Probate Judge was omitted from the listing of elected officials in this Resolution, and the amendment would be to add the Probate Judge to that listing.

Council Member Spooner stated that at the time Resolution 99-05 was adopted, Council was under the impression that salaries of all judges would be mandated by the state. The

Probate Judge was not included in the state's grouping of judges, so County Council, at a later date, did adjust the salary of the Probate Judge. Any cost of living adjustment was overlooked though.

Judge Kornahrens stated that although an adjustment was made to the salary of the Probate Judge after Resolution 99-05 was adopted, the Probate Judge was never included on an automatic schedule. Because of this, there has been no salary increase for the Probate Judge since the original adjustment was made in 1999. Judge Kornahrens concluded by requesting a salary increase of \$5,971.73 (five percent salary increase of \$2,939.47, plus a three percent increase of \$1,850.00, effective May, 2004, for elected officials and directors, plus an additional \$1,400.00 to absorb the loss of that \$2,939.47 during his first year of employment with the County two years ago).

It was moved by Council Member Spooner and seconded by Council Member Crosby to send Judge Kornahrens' request forward to the Finance Committee after Human Resources determined how prior years' merit/COLA would affect the present salary, with an additional adjustment to be included to total no more than \$65,000. This motion was passed by unanimous voice vote of the Committee.

2. Authorization to increase fees

Judge Kornahrens requested authorization to increase marriage license fees from \$35 to \$50. The state receives \$20 from each \$35 fee collected. Charleston County charges \$70 per license. Charleston's fee was increased to this amount approximately one year ago. As a result of their fee increase, Berkeley County has been experiencing an increase in license requests, because individuals are traveling from Charleston County to Berkeley County. License sales in Berkeley County have doubled in the past two years. A marriage license fee of \$50 is reasonable and would result in approximately \$21,000 additional revenue per year for the County (based on calculations from calendar year 2003).

Judge Kornahrens continued by requesting Council to consider raising fees for marriage ceremonies from the present charge of \$10 (100 percent into Berkeley County revenue). Approximately 200 ceremonies were performed in Berkeley County in calendar year 2003. Part of the number of ceremonies performed in the County came from individuals traveling from Charleston, and some were due to the fact that the Probate Judge in Dorchester County refuses to perform ceremonies. Judge Kornahrens recommended that marriage ceremony fees in Berkeley County be increased to \$20, creating additional revenue of approximately \$2,000 for the County.

It was moved by Council Member Spooner and seconded by Council Member Steve Davis to approve Judge Kornahrens requests to increase Berkeley County's marriage license fee from \$35 to \$50 per license and to increase its marriage ceremony fee from \$10 to \$20 per ceremony. This motion was passed by unanimous voice vote of the Committee.

B. H. Wayne DeWitt, Berkeley County Sheriff, Re: Authority to declare 1991 Chevy Blazer surplus to the County's needs.

Mr. Pete Porter was present to represent the Sheriff's Department in Sheriff Wayne DeWitt's absence.

It was moved by Council Member Spooner and seconded by Council Member Crosby to approve the request of the Sheriff's Department to offer a 1991 GMC Chevy Blazer at public auction and for proceeds of that sale to be placed into the Reserve Officers Fund (42105). The motion was passed by unanimous voice vote of the Committee.

C. Glenn Rhoad, Berkeley County Coroner, Re: Additional funds for department.

Mr. Glenn Rhoad stated his request was for additional funds necessary in line item 5521 (Professional Services Medical) in the amount of \$24,150 to complete fiscal year 2003/2004. This line item is used to pay for autopsies performed, toxicological reports, and any forensic services required by law or by the Coroner's Office. In addition to outstanding billing invoices in the amount of \$6,900 for six autopsies, additional funds totaling \$17,250 would be needed for an estimated 15 autopsies through the end of this fiscal year.

Council Member Pinckney asked if there were specific guidelines within the state law with regard to a decision to perform or not perform an autopsy?

Mr. Rhoad responded that it was the option of the Coroner to make that decision. All homicide cases or cases involving suspicious activity warrant an autopsy in order to collect valuable forensic evidence.

Mr. Rhoad continued by stating there had been an increase of deaths this year. There was a total of 587 deaths in Berkeley County this year, versus 430 deaths last year. This is partly due to growth in the population of the County.

It was moved by Council Member Spooner and seconded by Council Member Crosby to approve, and forward to the Finance Committee, the request by the Berkeley County Coroner for additional funds in line item 5521 (for payment of autopsies), in the amount of \$24,150, with disbursement of funds to be made through Finance on an as needed basis. The motion was passed by unanimous voice vote of the Committee.

D. Judge Ava Ayers, Chief Summary Court Judge, Re: Upgrade of position in department.

Judge Ava Ayers stated that the Magistrate's Department presently had a vacant Administrative Clerk 1 position, which included job duties of handling bond court in the morning (involving up to 45 individuals), and then returned to the office to perform the work of an Administrative Specialist 2. Although turnover was very low in the Magistrate's

Department, the difficulty of retaining an employee of quality as a Clerk 1 would remain constant unless this position was upgraded.

Judge Ayers continued by presenting three upgrade scenarios with dollar increases in salary to the Committee for consideration to choose from (Administrative Specialist 2 – preferred by Judge Ayers, Administrative Specialist 1 and Administrative Clerk 4). The additional funds required for an upgrade of the Clerk 1 position for this year would not require a transfer from Contingency, but from the Magistrate's operating budget instead.

Council Member Fish asked if Human Resources had reviewed and approved the appropriate position title for that particular job?

Judge Ayers responded that Human Resources had in-so-far as they classified each of five other individuals in the Magistrate's Office as Administrative Specialist 2.

Council Member Fish asked if the Clerk 1 position was changing because of the addition of more duties and responsibility to that position?

Judge Ayers responded that it was, because she was adding the same duties that everyone else had in the Magistrate's Department.

It was moved by Council Member Spooner and seconded by Council Member Crosby to send Judge Ayers' request to upgrade the vacant Clerk 1 position within the Magistrate's Department to the Finance Committee after Human Resources rates the position and establishes a proper title for it. The motion was passed by unanimous voice vote of the Committee.

E. Mr. Robert M. Mixter, EMS Director, Re: Additional funds for Department.

Mr. Robert Mixter stated there was a shortfall in the maintenance budget for ambulances and response vehicles. The current shortfall totaled \$18,531.77, and it was estimated that an additional \$10,500 would be needed to complete fiscal year 2003/2004. This shortfall was partly due to aging ambulances. Each vehicle had an average age of approximately 150,000 miles, with some vehicles averaging over 200,000 miles. It was a very old fleet, which required a lot more maintenance than was originally anticipated. There have been several transmissions replaced, in addition to one motor, several air conditioning systems, and brake systems.

Ms. Kace Smith, Finance Director, stated the budget for EMS had already been reviewed by Finance, and there were no monies that could be transferred within the EMS Department.

It was moved by Council Member Crosby and seconded by Council Member Farley to approve, and forward to the Finance Committee, the request by Mr. Mixter for additional funds in the amount of \$29,031.77, with an initial disbursement of \$18,531.77 to cover the present

shortfall and any further disbursement of funds to be made through Finance on an as needed basis. The motion was passed by unanimous voice vote of the Committee.

Council Member Pinckney questioned the current status of additional funds remaining from the Lebanon EMS Station.

Ms. Smith responded those were purchasing proceeds. The monies, totaling approximately \$30,000, would be used to purchase computers for various departments within Berkeley County, but the work at the Lebanon EMS Station had not been completed as yet.

It was moved by Council Member Spooner and seconded by Council Member Steve Davis to adjourn the Committee on Justice and Public Safety. This motion was passed by unanimous voice vote of the Committee.

Meeting adjourned at 7:20 p.m.

May 10, 2004
Date Approved

COMMITTEE ON JUSTICE AND PUBLIC SAFETY
(Standing Committee of Berkeley County Council)

Chairman: Mrs. Judy C. Mims, District No. 6

Members: Mr. Milton Farley, District No. 1
Mrs. Judith K. Spooner, District No. 2
Mr. William E. Crosby, District No. 3
Mr. Charles E. Davis, District No. 4
Mr. Dennis Fish, District No. 5
Mr. Caldwell Pinckney, Jr. District No. 7
Mr. Steve C. Davis, District No. 8
Mr. James H. Rozier, Jr., Supervisor, ex officio

A **meeting** of the **COMMITTEE ON JUSTICE AND PUBLIC SAFETY**, Standing Committee of Berkeley County Council, will be held on **Monday April 12, 2004**, in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, following the meeting of the Committee on Human Services and the meeting of the Committee on Community Services at **6:00 p.m.**

AGENDA

APPROVAL OF MINUTES

March 8, 2004

- A. Judge Keith Kornahrens, Berkeley County Probate Judge, Re:**
 - 1. Additional funds for Department.
 - 2. Authorization to increase fees.
- B. H. Wayne DeWitt, Berkeley County Sheriff, Re: Authority to declare 1991 Chevy Blazer surplus to the County's needs.**
- C. Glenn Rhoad, Berkeley County Coroner, Re: Additional funds for department.**
- D. Judge Ava Ayers, Chief Summary Court Judge, Re: Upgrade of position in department.**
- E. Mr. Robert M. Mixer, EMS Director, Re: Additional funds for Department.**

April 7, 2004
S/Barbara B. Austin
Clerk of County Council